

426.685 Provisions governing sales by court order of indivisible real property.

- (1) Before ordering a sale of real property for the payment of debt, the court must be satisfied by the pleadings, by an agreement of the parties, by affidavits filed, or by a report of a commissioner or commissioners, whether or not the property can be divided without materially impairing its value, and may cause it to be divided, with suitable avenues, streets, lanes or alleys, or without any of them.
- (2) If it be necessary to sell, for the payment of debt, a parcel of real property which can not be divided without materially impairing its value, the officer shall sell the whole of it, though it bring more than the sum to be raised, and the court shall make proper orders for the distribution of the proceeds.

Effective: July 1, 1953

History: Transferred 1952 Ky. Acts ch. 84, sec. 1, effective July 1, 1953, from C.C. sec. 694(1) and (2). -- C.C. sec. 694 amended 1916 Ky. Acts ch. 105, sec. 1.